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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

5 IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

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No. MD-15-02641-PHX-DGC

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**AMENDED SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL  
CLAIMS**

8 Plaintiff(s) named below, for their Complaint against Defendants named below,  
9 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc 364).  
10 Plaintiff(s) further show the Court as follows:

11 1. Plaintiff/Deceased Party:

12 Michael Blevins

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13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
14 consortium claim:

15 Not applicable

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16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
17 conservator):

18 Not applicable

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19 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
20 the time of implant:

21 Kentucky

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5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

## Kentucky

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

## Kentucky

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court for the Eastern District of Kentucky,

## Pikeville Division

8. Defendants (check Defendants against whom Complaint is made):

x C.R. Bard Inc.

x Bard Peripheral Vascular, Inc.

## 9. Basis of Jurisdiction:

## x Diversity of Citizenship

Other:

a. Other allegations of jurisdiction and venue not expressed in Master  
Complaint:

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## Defendants' Inferior Vena Cava Filter

claim (Check applicable Inferior Vein)

Recovery® Vena Cava Filter

- 1          G2® Express (G2®X) Vena Cava Filter
- 2          Eclipse® Vena Cava Filter
- 3          Meridian® Vena Cava Filter
- 4          Denali® Vena Cava Filter
- 5          Other: \_\_\_\_\_

6      11. Date of Implantation as to each product:

7      November 25, 2011

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8      12. Counts in the Master Complaint brought by Plaintiff(s):

- 10         Count I:      Strict Products Liability – Manufacturing Defect
- 11         Count II:     Strict Products Liability – Information Defect (Failure to
- 12        Warn)
- 13         Count III:    Strict Products Liability – Design Defect
- 14         Count IV:     Negligence - Design
- 15         Count V:      Negligence - Manufacture
- 16         Count VI:     Negligence – Failure to Recall/Retrofit
- 17         Count VII:    Negligence – Failure to Warn
- 18         Count VIII:   Negligent Misrepresentation
- 19         Count IX:     Negligence *Per Se*
- 20         Count X:      Breach of Express Warranty
- 21         Count XI:     Breach of Implied Warranty
- 22         Count XII:    Fraudulent Misrepresentation

- Count XIII: Fraudulent Concealment
- Count XIV: Violations of Applicable Kentucky \_\_\_\_\_ (insert state)  
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages
- Other(s): \_\_\_\_\_ (please state the facts supporting this Count in the space immediately below)

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1 RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of March, 2017.

2 **SKIKOS CRAWFORD SKIKOS & JOSEPH**

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4 By: /s/ Melissa Mielke

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10 *Attorneys for Plaintiffs*

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